

**MEGASAND ENTERPRISES, INC.**

P.O. BOX 656  
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September 23, 2010

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SUPERFUND DIV.  
DIRECTOR'S OFFICE

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Mr. Robert Werner  
Enforcement Officer  
Superfund Enforcement Assessment Section (6SF-TE)  
U.S. EPA, Region 6  
1445 Ross Ave.  
Dallas, TX 75202-2733

Re: San Jacinto River Waste Pits Superfund Site, Channelview, Texas  
SSID No. 06ZQ; EPA ID No. TXN000606611

Dear Mr. Werner:

By letter dated August 24, 2010, the EPA sent MegaSand Enterprises, Inc. a CERCLA 104(e) information request regarding the above-referenced matter. Set forth below is the response of MegaSand Enterprises, Inc.

Question 1:

Identify the person(s) that provides answers to the questions below on behalf of MegaSand Enterprises, Inc. (MSEI).

Answer: Danny C. Moore and Brenda L. Moore

Question 2:

Has MSEI ever participated in any planning for dredging activities in the area of the San Jacinto River, along its south bank, on the north side of the 1-10 Bridge in Harris County, Texas?

Objection: MSEI objects to this question as unreasonably vague and overbroad. For purposes of this response, MSEI interprets this question to inquire whether the dredging activities were conducted south of the red delineated area on the aerial photo in Enclosure 5. The location of MSEI's dredging in the general area is discussed in the answer to Question 5.

Answer: No.

Question 3:

Has MSEI ever participated in any dredging activities in the area of the San Jacinto River, along its south bank, on the north side of the I-10 Bridge in Harris County, Texas?

Objection: MSEI objects to this question as unreasonably vague and overbroad. For purposes of this response, MSEI interprets this question to inquire whether the dredging activities were conducted south of the red delineated area on the aerial photo in Enclosure 5. The location of MSEI's dredging in the general area is discussed in the answer to Question 5.

Answer: No.

Question 5:

If your answer to the above questions #2 and #3 is no, please explain why a letter, dated November 20, 1998, for Houston International Terminal to Department of the Army, (see Exhibit 5) identifies that, "in late 1997 we entered into a working contract with Mega Sand (Dan & Brenda Moore) who agreed to the mitigation plan. In September 1997 dredging recommenced and work on the mitigation plan started."

Answer: On November 20, 1998, Captain Jack Roberts, owner of Houston International Terminal, had acquired a permit from the U.S. Army Corps of Engineers for the purpose of dredging sand on his property. His property was located west and north of the waste pit site as delineated on the aerial photo in Enclosure 5. During the permitting process the U.S. Army Corps of Engineers required Houston International Terminal to build a cordgrass marsh with overburden material from dredging operation. This was part of the mitigation plan asked for by the Corps of Engineers. MSEI, under an agreement with Houston International Terminal, dredged on the

north and west quadrant of the Roberts' property located west of the waste pits, north of the I-10 Bridge. MSEI, after performing dredging for Houston International Terminal, moved the clay (overburden) over to the mitigation site with dump trucks and dumped along the feeder road on the north side of I-10, west of the waste pits. MSEI used bull dozers to push and spread the clay into the water. After placement of the material, the Galveston Bay Foundation planted cordgrass along the edge of the water.

Question 6:

Please describe the corporate relationship between MegaSand, Inc., a dissolved Texas corporation and MSEI, an active Texas corporation.

Answer: There is no corporate relationship between MegaSand, Inc. and MSEI. MegaSand, Inc., formerly a Texas corporation, was dissolved in 1994. MSEI, a Texas corporation, was incorporated in 1997 and remains in good corporate standing with the Texas Secretary of State office. Brenda Moore served as the sole director and officer of MegaSand, Inc. and is a director and officer of MSEI.

Question 7:

Please identify the names of all dredging companies that you have reason to believe have, at any time, participated in the planning of, and/or participated in, dredging operations in the above-described area of the San Jacinto River.

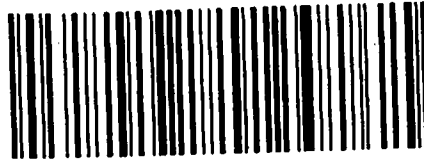
Answer: None.

Very truly yours,

  
Danny C. Moore

Megasand Enterprises, Inc.  
P O Box 656  
Highlands TX 77562

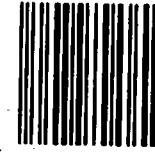
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Mr. Robert Werner, Enforcement Officer  
Superfund Enforcement Assessment Section  
U.S. EPA, Region 6  
1445 Ross Avenue  
Dallas TX 75202-2733

ROBERT WERNER

Location:  
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